THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P. NO.11417 of 1998

DATED: 29.08.2007

Between:-

G.Visweswara Rao

...

PETITIONER
AND

The Govt. of A.P. rep by its Secretary, Department of Education, Secretariat, Hyderabad & others.

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RESPONDENTS

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.11417 of 1998

O R D E R:

Heard Sri P.B.Vijaya Kumar, learned counsel for the petitioner, the Learned Government Pleader for Higher Education appearing for respondents 1 and 2 and Sri M.V.Raja Ram, learned counsel appearing for the fourth respondent.

Questioning the action of the respondents in not counting the unaided service of the petitioner from 06-01-1976 to 30-03-1979 for the purpose of granting the benefit of Career Advancement Scheme as illegal and arbitrary, the present writ petition is filed. Petitioner seeks a consequential direction to the respondents to revise the pay of the petitioner after counting the said period for the purpose of granting the benefit in Career Advancement Scheme and fix him in the Selection Grade Scale and also grant weightage by paying arrears etc. as was given to the persons similarly situated.

Both Sri P.B.Vijaya Kumar, Learned counsel for the petitioner and the Learned Government Pleader for Higher Education, would submit that in view of Act 26 of 2006, the petitioner is not entitled to the relief sought for in this writ petition. Sri P.B.Vijaya Kumar, learned counsel for the petitioner, would, however, seek leave of this Court to challenge the validity of the said Act. It is made clear that the dismissal of this writ petition would not come in the way of the petitioner from questioning the vires of the Act, if he so chooses. However, in view of Act 26 of

2006, the relief sought for cannot be granted.

The writ petition is, accordingly, dismissed. No costs.

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29-08-2007

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